

**THE CIRCUIT COURT
FOR
MONTGOMERY COUNTY, MARYLAND**



**Adult Drug Court
Participant Handbook**

MY DRUG COURT INFORMATION

My Case Manager's Name is: _____

My Case Manager's Phone Number is: _____

My Case Manager's Email address is: _____

My Therapist's Name is: _____

My Therapist's Phone Number is: _____

My Therapist's Email address is: _____

Drug Court Sessions are held at: The Circuit Court Building, Judicial Center,
50 Maryland Avenue, Rockville, Maryland 20850

My First Drug Court Session is on _____ at _____ p.m. in Courtroom # ____
(date) (time) (location)

TABLE OF CONTENTS

PROGRAM OVERVIEW – WHAT IS DRUG COURT?	5
GENERAL INFORMATION ABOUT THE DRUG COURT PROGRAM	6
WHEN ARE DRUG COURT HEARINGS HELD?	6
IF I AGREE TO ENTER DRUG COURT, WHAT WILL I HAVE TO DO?	6
WHAT DOES DRUG COURT INVOLVE?	8
DRUG/ALCOHOL TESTING	10
COURT HEARINGS	11
PROGRESS REPORTS	11
INCENTIVES	11
SANCTIONS	12
TERMINATION FROM THE PROGRAM	12
CONFIDENTIALITY	13
GRADUATION	13
CONCLUSION	14

APPENDIX A - DESCRIPTION OF SANCTIONS BY PHASE

The Drug Court Team welcomes you to the Montgomery County Circuit Court Adult Drug Court Program. First and foremost, we would like to acknowledge your courageous choice to begin your life long journey towards full and lasting recovery from your dependence on alcohol and/or other drugs.

By agreeing to enroll in the Adult Drug Court Program, you will be evaluated to help us determine how to get you the right treatment, and we will closely monitor and supervise you until you reach your recovery goals. If you succeed, you will end up having new and greater levels of personal responsibility, and become a productive, drug-free member of your family and community.

The Adult Drug Court Program and its Drug Court Team, will be a close supportive partner to you, helping to treat your addiction and begin a new life free from alcohol and other drugs. You will work with many different people and groups. They include a Drug Court Judge, your attorney, a Public Defender, an Assistant's State's Attorney, a Probation agent, a case manager and a therapist from the Department of Health and Human Services, Rehabilitation. You will also be asked to work with your family and your community.

Together we will develop treatment and monitoring plans that will assist you in your recovery.

Together we will help you to become alcohol and drug free and to avoid future involvement in crimes.

This will not be easy. We will expect a lot from you and you can expect a lot from us.

By agreeing to enroll and fully participate in the Adult Drug Court Program, ***you have made a choice to give yourself a new beginning.*** We will support you in that choice in ways that may be very different from any other substance abuse treatment experiences you may have had in the past.

Even though alcohol and drug use have been a big part of your life, ***you*** can change your life. ***You*** are part of this program because we know ***you*** can succeed, that ***you*** are worthy of success, and we want to help ***you*** to experience the rewards that will come to ***you*** when ***you*** achieve recovery from your alcohol and/or other drug dependence.

To help you become familiar with the program and to help you understand your role, and the roles of the Court, case managers and treatment providers, we are providing you with this participant's handbook as your guide to the Montgomery County Adult Drug Court Program, its philosophy, its rules and its procedures.

Please read the entire guide so that you become familiar with what it means to participate in this program. If you have any questions, we are available to answer them honestly and completely so that you are as confident of your success as we are.



Drug Court Location

The Montgomery County Circuit Court
Judicial Center
50 Maryland Avenue
Rockville, Maryland 20850

Drug Court Contact:
Drug Court Coordinator
(240) 777-9141

Adult Drug Court Program

Program Overview – What is Drug Court?

The Montgomery County Adult Drug Court Program is a **voluntary** program that offers you the opportunity to recover from your dependence on alcohol and/or other drugs. Unlike any other program(s) you may have tried in the past, the Adult Drug Court Program is a model that provides weekly supervision and monitoring of your treatment, and provides you with close and frequent monitoring from the Drug Court Team. This means that in the beginning, you will see the Drug Court Judge every week.

The program is a minimum of 20 months depending on the progress you make. Over the course of your participation in the program, you will have both individual and group alcohol and drug treatment with a licensed professional. You also will have regular meetings/contact with your case manager. To measure your progress toward recovery and to monitor your compliance with the program, you will submit to frequent and random urinalysis tests to see if you are using alcohol or other drugs. You also will attend sessions of the Drug Court as required.

Our common goal is your successful graduation from the program to live your life free from your addiction and criminal behaviors.

To participate in the program, you must be:

- Currently Living in Montgomery County, Maryland;
- Charged with a Violation of your Probation (VOP) from a Circuit Court sentence, or be recommended to the Drug Court as part of a binding plea agreement;
- Have at least 24 months of time remaining on your probation to allow enough time for you to participate in each phase of the Drug Court program;
- Non-violent;
- Dependent on alcohol and/or other drugs; and,
- Able to participate in all Drug Court activities and programs.

GENERAL INFORMATION ABOUT THE DRUG COURT PROGRAM

If I agree to be in this program, where will I go for Drug Court?

Drug Court hearings are held at the Montgomery County Circuit Court which is located at:

Judicial Center
50 Maryland Avenue
Rockville, Maryland 20850

The Courthouse is close to the Rockville Metro Station on the Red Line and can be reached by other forms of public transportation such as Ride-On and Metro bus.

When are Drug Court hearings held?

Drug Court hearings are held once a week on Thursday afternoons. You will be given a schedule that you will be responsible for following. Speak with your case manager to be sure that you have the court schedule and the dates and times you need for meetings and court hearings. Not showing up on the right day because you were confused is not acceptable. You can always call your case manager or the drug court coordinator to check on your court hearing dates.

If I agree to enter Drug Court, what will I have to do?

Your Responsibilities / Program Rules

1. By enrolling in the Drug Court Program, you agree to fully participate in the program. That means that you will do the following:

- a. Obey all laws and avoid getting into any legal trouble.
- b. Attend all scheduled meetings and treatment sessions.
- c. Be on time for those meetings; lateness is not tolerated.
- d. Have random and frequent testing of your breath and urine to screen for alcohol or other drug use.
- e. Do what the Judge orders you to do as part of your treatment program.
- f. Follow the rules, conditions, and expectations of your treatment plan as developed by your Case Manager and Therapist.
- g. Talk with your case manager or other members of the Drug Court Team when circumstances require it.

- h. You must sign the Participation Agreement along with your written consent to allow the Drug Court Team to discuss all information that is related to your participation and treatment. That means that you will sign a legal form that permits the Team to discuss all information that is usually protected and confidential. The information will be shared only by and between the Drug Court Team. You will be able to discuss your consent with your attorney before you agree to sign it.
- 2. You are encouraged to communicate often with your case manager and others involved in your recovery program so that the lines of communication are clear and everyone is working from the “same page.”
- 3. Our goal is your full and long lasting recovery from addiction. That means that you **will**:
 - a. Not use any drugs or alcohol of any sort.
 - Check with your case manager if you are taking prescribed medications or you use over-the-counter medications from a drug store at the direction of your doctor. You must provide written documentation that a doctor is supervising your use of these medications. You will give written permission for your case manager to speak with your doctor.
 - You must immediately provide a copy of all prescriptions to your case manager. Don't wait for a positive drug test.
 - You must let your case manager know when you change or stop taking medications.
 - b. Avoid situations where you might be tempted to use alcohol or other drugs.
 - c. Make other changes in your life that will support your sobriety and help you to end **any** involvement in crimes.
- 4. You must attend all treatment and program sessions as scheduled. In the event of a medical emergency, you must contact your therapist and/or case manager and provide an official letter signed by your doctor and/or emergency room/hospital that proves that you were seeking medical treatment.
- 5. You must attend all scheduled court hearings. If you are ill, you must provide written documentation as explained above. Calling in to say “I am sick” is not acceptable. If you do not appear, a warrant will be issued for your arrest.

6. You will be on time for all program activities. Lateness is unacceptable. When you attend any Drug Court activity such as your weekly Court appearance or treatment sessions, you must dress appropriately. While we realize that you may be coming to a therapy session or to court from work or another situation where you may not be formally dressed, you are expected to make every effort to dress in a way that lets others know that you are taking Drug Court seriously.

What does Drug Court involve?

The Drug Court program includes:

Regular meetings/contact with your Case Manager and Therapist;

Regular court appearances before a Circuit Court Judge who is a part of the Drug Court team. In addition to the Judge, other team members include your attorney, a Public Defender, a State's Attorney, your case manager, your therapist from the Department of Health and Human Services, and a probation agent from the Department of Public Safety & Correctional Services.

The Drug Court Team meets every week to review and discuss the progress of each participant in the program. Recommendations will be made to the Judge on how to best to achieve your goal for recovery every week at the Drug Court Team meeting. Your progress may be reviewed with you in court.

On-going assessment of your progress as reflected by your compliance with the requirements of the Program and the achievement of the goals in your treatment plan.

Treatment planning to support your recovery:

You will have frequent and regular meetings with your case manager and treatment providers to develop, manage, and update your treatment plan.

Your treatment plan is the roadmap to your recovery. The development, and regular review of your treatment plan, will be expected. Your therapist and case manager will help to develop, monitor, and when necessary, change the overall treatment plan. Your therapist will help you to develop an alcohol and drug treatment plan that is very specific to your needs. That may include referrals to other providers. Your case manager and therapist are responsible for working with you to coordinate your program plan.

Depending on your specific needs, there may be other referrals to other services to promote your success in this Program. These other services will become a part of your treatment plan and you will be responsible for attending them.

Your treatment plan will most likely change over the course of your involvement in the Drug Court Program. As you progress through the Program, the team will recommend changes to your treatment plan so that it reflects your progress, and continues to address current and future needs.

Incentives or rewards will be given for the positive things you do while in the program such as getting and staying sober, achieving personal goals, and staying out of trouble. As you progress through Drug Court, we will support the positive things you do. At the same time, if you don't follow the rules, you will be held accountable. This means that the Drug Court Team will recommend that the Judge do something to get you back on track with your goals. That could include a number of things such as community service and going to jail for a short period of time as a way to get your attention and to remind you to follow the rules and expectations of the program.

Drug Court Team Meetings

The Drug Court Team meets every week to review your treatment plan, your progress in the program, and to make recommendations to the Judge before each Court hearing.

Supervision and Monitoring:

In addition to your treatment program, you will be supervised, and your behavior will be monitored over the course of your participation in the program. Supervision and Monitoring includes:

- Weekly, every three weeks, every four weeks or every six weeks appearances (depending on phase) before the Judge at the Drug Court hearing
- Regular and random testing of your urine or breath to test for the presence of alcohol and other drugs
- Monitoring compliance with ALL of the conditions of your participation in this Program
- Consequences for negative behavior(s), or failing to comply with any of the conditions of your probation will jeopardize your participation in the Program

Graduation

Graduation from the program occurs when you complete all of the phases of the Program plus any other probation conditions that were required of you such as community service or restitution. You should expect that graduation will be a minimum of twenty (20) months from your initial enrollment in the Drug Court Program.

Aftercare (once you graduate from the Program):

Developing a plan to continue your recovery process once you graduate from the program is a very important part of the program. The goal of your aftercare plan is to support you to remain alcohol and drug free for the rest of your life and to learn how to live drug-free without the need for court supervision.

More Information About the Drug Court Program

Drug/Alcohol Testing

By enrolling in this Program you agree to participate in drug testing on a frequent and random basis. The frequency depends on which phase of the Program you are in, and of course, on the results of your tests.

Drug testing is one of the ways that you can demonstrate to us, and to yourself, that you are remaining alcohol and drug free. It is an important part of proving to yourself that you are headed toward a life free from the use or dependence on alcohol and other drugs. Please note the following:

- You will be watched by a member of the staff when you give your urine sample to make sure that it is YOUR urine that will be tested.
- A negative test result means that your test shows that you have been drug-free since your last test. That is an accomplishment you should be proud of and the team will promptly advise the Court of your achievement.

Failing, missing, or tampering with a drug test or breath test.

- If you miss a urine or breath test, that information is reported to the Judge as a positive sample. At times, people avoid testing when they know that they have used alcohol or other drugs thinking that they will avoid the consequences of using again. In Drug Court, there is no advantage to that idea ... if you miss your test, the Judge will treat it the same as if you took the test and it showed that you are using drugs.
- Tampering with, or trying to dilute, your urine sample or trying to avoid being closely observed will also count as a positive sample.
- If your sample is positive for alcohol and/or drugs, the treatment team may revise your treatment plan and/or require increased treatment attendance. In addition, the Drug Court Team will recommend some type of corrective action for you to the Court. This is imposed to help you to get back into compliance and on track with your program.
- Please be clear on this matter. ***There is absolutely no advantage for you to miss, tamper, alter, dilute, or provide an unobserved urine or breath test. It will be counted as a POSITIVE for the use of drugs and/or alcohol.*** There will be a consequence to you. If you've used an illegal or prohibited substance, and then try to hide that fact, all you do is harm our ability to help you and for you to help yourself.

If your breath or urine sample is positive for any alcohol or other drugs, (meaning that it indicates you've used an illegal or prohibited substance) but you think that the test results are wrong, you may request that your sample be tested again. We will send your sample to an independent laboratory not associated with the drug court for a re-test to confirm the results. We will also acknowledge the new results.

Court Hearings

You are required to attend regular court hearings on a weekly basis in the first phase and then less often in the later phases of the program.

If you fail to appear at these hearings the Drug Court Judge will issue a bench warrant for your arrest.

Progress Reports

At each court hearing, the Judge will hear a report on your progress. Your therapist and case manager will discuss your progress in areas such as attendance at meetings and progress in the program, your participation and cooperation in treatment, your behavior at work, home or school, drug test results, and a review of any other issues that are related to your treatment plan. The report will identify both your accomplishments and challenges. In Court, the Judge may ask you about your progress and discuss any problems that you might be having. This is your opportunity to speak directly to the Judge.

If you are doing well, the Judge may recognize your progress and achievements in a number of ways. The Judge can praise you and provide you with other **“incentives”** or rewards.

If you need to correct your behavior, the judge will talk to you about ways you can get back on track. The Judge may decide that serious consequences are required to help you comply with the rules of the program. Referred to as **“sanctions,”** these consequences are intended to help you to more fully understand that you are accountable to the program and to yourself. Sanctions can range from increased levels of monitoring, changes in your program requirements, increased attention to your treatment sessions and also may include jail time.

Incentives

When you are working hard and you comply with the terms of the Drug Court Program, the Judge will, from time to time, reward you for your efforts. Those rewards are designed as incentives to keep you on track toward **YOUR** graduation.

Meeting the requirements of this program can be a challenge and we want to recognize your achievements as you progress through the program and as soon as possible. At your court hearings you should expect to hear the Court praise your progress and to make the effort to demonstrate to you and to others that you are on a path to success.

Not every participant will receive a reward every time he/she appears before the Court. However, by demonstrating that you are involved in the Program and working to complete the Program and overcome your addiction, the Court will, from time to time, recognize you for your efforts. Examples of “incentives:” include:

- Encouragement and praise from the Drug Court Judge
- Ceremonies and tokens or certificates of progress
- Graduation ceremonies

- Overriding imposed drug court sanctions when appropriate, and at the direction of the judge, in order to recognize a participant's overall positive performance.

Sanctions

Sanctions are court-imposed restrictions, or negative consequences, that result from your behavior. That means that you are in control of whether you are “sanctioned” or not. Your control over that is your behavior and the choices you make.

The goal of court-imposed sanctions is to have you comply with the rules of the program. ***Follow the rules, and you will avoid sanctions.*** While we will focus on giving positive incentives to have you engage in your program, we recognize that there will be times when we must take immediate action to make sure that you live up to your agreement to follow the rules of the Drug Court program, and to protect the integrity of the Program and the community at large. So, we will use the power of the Court to get you back on track and to insist that you follow the rules of good behavior.

Sanctions can vary from increased programs requirements, phase demotions, increased monitoring and supervision, and ultimately, periods of incarceration. The length and severity of your sanctions are under your control. You have choices to make throughout the course of this program and we hope that all of them are good ones. Examples of sanctions are:

- Warnings and admonishments by the Drug Court Judge in open court
- Increased frequency in court appearances
- Increased frequency of drug testing and/or breath testing, or other elements of the defined treatment program
- Assignment to a work detail
- Increased community supervision
- Extension of the time required to complete any given phase of the program;
- Demotion to a lower program phase
- Escalating periods of jail confinement (including AOD treatment while confined), including as a last resort, possible enrollment in jail-based treatment programs with incarceration not to exceed the duration of the jail based program.
- Termination from Drug Court and the imposition of a non-Drug Court sentence.

Termination from the Program

You should be aware that non-compliance with the terms of your probation could result in your immediate termination from the Drug Court Program. Although termination should rarely occur, the following information provides examples of situations where you may be terminated from the program:

- You are convicted of another crime while enrolled in the program, or the Drug Court becomes aware of behavior that is violent or threatening to the safety of others
- You have a diagnosed mental illness and refuse to take the appropriate medications

- You demonstrate a lack of willingness to engage in treatment and to comply with the conditions of probation imposed by the Drug Court
- You engage in acts of violence while under the supervision of the Drug Court Program.

Confidentiality

When you agreed to participate in the Drug Court Program, you signed a consent form to permit the Drug Court Team to disclose medical, substance abuse treatment, and other information to members of the Team and the Court. We will respect your right to confidentiality as extended to all participants in Drug Court proceedings and we have developed policies and procedures that protect that right.

Graduation

Once you meet the criteria listed below, you will be eligible for graduation upon:

Successful completion of all program and probation requirements including all restitution and costs as well as:

- Satisfactory completion of community service and other program assignments;
- 9 continuous months of negative urine and breath tests,
- A positive recommendation for graduation by the Drug Court Team;
- The approval of the Drug Court Judge;
- Completion/implementation of an aftercare plan with your case manager.
- Complete Graduation Life Plan Application, Review Board Meeting and Exit Survey

Upon graduation from the Drug Court Program, you will be released from your conditions of probation.

Graduation is the best reward that you can give to **YOURSELF** and is the real goal of this program. If you successfully complete the terms and conditions of your enrollment in the Drug Court Program you can take great personal pride in achieving something that will reward you for your entire life.

Like all graduations, this is a new beginning for you and **YOU'RE** the only person responsible for this achievement.

Conclusion

The main goal of this Drug Court Program is to offer you a program that is specific to your needs, support you with family and community involvement, and to provide you with an opportunity to be sober and crime free. The Drug Court Team is here to help you, guide you and assist you. But, the final responsibility is always yours.

To succeed, you will need motivation, a personal desire to succeed, and the support of family and friends. We respect your willingness to enter into this program and wish you every success.

The Administrative Office of the Courts, Office of Problem-Solving Courts funded this project under a discretionary grant to the Montgomery County Circuit Court.

PHASE 1-SANCTIONS

	1st	2nd	3 times or more
Positive/missed urinalysis	30/30-90/90; 1 week frequent UA; change sober date	30/30-90/90; 2 weeks frequent UA; change sober date; overnight	Jail/Avery Road/JAS/Second Genesis; 30/30-90/90; 2 weeks frequent UA; change sober date
Late to treatment	Verbal warning	8 hours of community service	Delay of phase move
FTA treatment (includes ALL appointments at OAS)	OAS sanction	8 hours of community service	Jail
FTA CM meeting	Verbal warning	Must meet with CM at date/time/location specified by CM	8 hours of community service
FTA community service	8 additional hours of community service	Jail	Jail
Failure to provide verification of employment/school enrollment OR failure to complete fee assessment at OAS	Verbal warning	8 hours of community service	Jail
Forging meeting slips	Jail	Increased length of time in jail	Increased length of time in jail
Confirmed SCRAM/UA tamper	Jail and change of sober date	Increased length of time in jail and change of sober date	Increased length of time in jail and change of sober date
Failure to provide meeting slip OR incomplete meeting slip(this sanction applies to ALL phases; it does not reset until 1 year after last sanction)	8 hours of community service	16 hours of community service	Jail
Any unauthorized travel	Jail	Jail	Jail

IMPORTANT NOTES

Treatment team agrees that any client permanently revoked from PRRS should remain in jail a MINIMUM of 60 days.

Treatment team agrees that any client who is removed from an Oxford/XYZ House due to being unable to follow the rules should go to PRRS.

Treatment team agrees that sanctions for positive urinalysis will be applied based on separate incidents of use.

Treatment team agrees that if a client does not sign his/her urinalysis label, he/she is given ONE verbal warning. After that, it is treated as a positive.

PHASE 2-SANCTIONS

	1st	2nd	3 times or more
Positive/missed urinalysis	Jail; 30/30-90/90; 2 weeks frequent UA; change sober date; phase demotion; weekly court for one month	Jail; 30/30-90/90; 2 weeks frequent UA; change sober date; phase demotion; weekly court for one month	Jail/Avery Road/JAS/Second Genesis; 30/30-90/90; 2 weeks frequent UA; change sober date; phase demotion; weekly court for one month
Late to treatment	OAS sanction	8 hours of community service	8 hours of community service; delay of phase move
FTA treatment (includes ALL appointments at OAS)	8 hours of community service	16 hours of community service	Jail
FTA CM meeting	Must meet with CM at date/time/location specified by CM	8 hours of community service	8 hours of community service; delay of phase move
FTA community service	8 additional hours of community service	Jail	Increased length of time in jail
Failure to provide verification of employment/school enrollment OR failure to complete fee assessment at OAS	Verbal reprimand from judge	Jail	Increased length of time in jail
Forging meeting slips	Jail	Increased length of time in jail	Increased length of time in jail
Confirmed SCRAM/UA tamper	Jail and change of sober date	Increased length of time in jail and change of sober date	Consider termination
Failure to provide meeting slip (this sanction applies to ALL phases; it does not reset until 1 year after last sanction)	8 hours of community service	16 hours of community service	Jail
Any unauthorized travel	Jail	Jail	Jail

PHASE 3-SANCTIONS

	1st	2nd	3 times or more
--	-----	-----	-----------------

Positive/missed urinalysis	Jail; 30/30-90/90; 2 weeks frequent UA; change sober date; phase demotion; weekly court for one month	Jail/Avery Road/JAS/Second Genesis; 30/30-90/90; 2 weeks frequent UA; change sober date; phase demotion; weekly court for one month	Jail/Avery Road/JAS/Second Genesis/long term residential treatment; 30/30-90/90; 2 weeks frequent UA; change sober date; phase demotion; weekly court for one month
Late to treatment	OAS sanction	8 hours of community service	8 hours of community service; delay of phase move
FTA treatment (includes ALL appointments at OAS)	8 hours of community service	Extend length of time in phase for 30 days	Phase demotion and/or jail
FTA CM meeting	8 hours of community service	Extend length of time in phase for 30 days	Phase demotion and/or jail
FTA community service	8 additional hours of community service	Jail	Increased length of time in jail
Failure to provide verification of employment/school enrollment OR failure to complete fee assessment at OAS	8 hours of community service	Extend length of time in phase for 30 days	Phase demotion; PRRS placement
Forging meeting slips	Jail	Phase demotion; PRRS placement	Termination
Confirmed SCRAM/UA tamper	Jail and change of sober date	Phase demotion; PRRS placement; change of sober date	Termination
Failure to provide meeting slip (this sanction applies to ALL phases; it does not reset until 1 year after last sanction)	8 hours of community service	16 hours of community service	Jail
Any unauthorized travel	Jail	Jail	Jail

IMPORTANT NOTE

Treatment team agrees that any failure to comply with Continuing Care expectations will result in return to Phase 3.